

DISPATCH		CLASSIFICATION SECRET SECRET	DISPATCH SYMBOL AND NO. ORPA- 40864
TO Chief, IO		HEADQUARTERS FILE NO.	
FROM Chief of Station, []		DATE 1 October 1958	
SUBJECT DUDORIC / Operational F J MACHINE		RE: "43-3" - (CHECK "X" ONE)	
ACTION REQUIRED		MARKED FOR INDEXING	
		NO INDEXING REQUIRED	
		INDEXING CAN BE JUDGED BY QUALIFIED HQ. DESK ONLY	
REFERENCE(S)			
<p>1. Forwarded herewith is a request by Callender's former Deputy for a reversal of the Headquarters FJ MACHINE refusal to settle his return transportation and freight charges in cash. The subject feels that his request is entirely logical and would be the cleanest break possible between himself and FJ MACHINE.</p> <p>2. He further feels, as stated in the attachment, that he has some legal recourse against QKIVORY if this request is refused. [] believes that if the request is refused, he will, reluctantly, institute action in the courts. He states that he does not wish to embroil FJ MACHINE in a public suit which might produce unfavorable publicity for the Paris Office, but it is our impression that he may do so because of the extreme difficulty of his current financial situation.</p> <p>3. [] believes, to the extent that our limited acquaintance with this case makes such a judgment reasonable, that it would be in the best interests of all concerned -- including QKIVORY -- to accede to the subject's request as soon and as gracefully as possible. FYI, despite the bitter tone of the attachment, the subject assures us that his hostility is directed solely at certain individuals in QKIVORY and not, in any sense, at KUBARK.</p> <p>4. We will welcome the opportunity to discuss this question further with [] during his anticipated TDY at []</p> <p>Enclosure: h/w 1 - Statement by subject, as cited above.</p> <p>1 October 1958</p> <p>Distribution: 3 - IO, w/encls.</p>			
<p>DECLASSIFIED AND RELEASED BY CENTRAL INTELLIGENCE AGENCY SOURCE METHOD EXEMPTION 8828 NAZI WAR CRIMES DISCLOSURE ACT DATE 2008</p>			
FORM 10-57 53		USE PREVIOUS EDITION. REPLACES FORMS 51-28, 51-28A AND 51-29 WHICH ARE OBSOLETE.	CLASSIFICATION SECRET SECRET
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refuses my request that it settle in monetary equivalent the return transportation and freight allowances to which I am entitled.

QKIVORY

In an entirely arbitrary manner, the (1) has taken the position that my resignation letter of 3 July 1958 in effect breached the contract between the _____ and myself, with which I disagree, (2) has set 10 July 1958 as the effective date of my resignation, which is inconsistent with my letter, with the sense of my contract, and with my intent in the matter, conveyed at the time to _____ representative in Paris, and (3) has provided return transportation in the form of air line tickets which become invalid on 10 October 1958.

I am thus put in an entirely untenable position, since to return to the United States prior to 10 October would involve heavy income tax liabilities under Section 911 of the Income Tax Code and to remain in Europe beyond 10 October would result in my being without return transportation for myself and my family.

I regard as perfectly reasonable my request that settle the above allowances in cash. To do so would not alter the amount involved nor entail additional effort or expenditure on the _____ part. To refuse to do so I can only interpret as pointless vindictiveness on _____ part, an interpretation strengthened by the fact that _____ has made this type of cash settlement with others in the past.

Having been forced into this position, in which a considerable sum is involved, I have gone into the matter carefully and am advised by counsel that I am not without legal recourse, which, quite frankly, I sincerely hope to avoid, for obvious reasons.

As I previously informed you in advance of my resignation, I now inform you of this situation, with the request that you do what you can to arrange that _____ make immediate settlement of these allowances, properly due me, in cash.

Since I must make a number of decisions before 10 October, I would be most appreciative of a response from you at your earliest opportunity.